

**MINUTES OF THE  
SOCIAL SERVICES APPROPRIATIONS SUBCOMMITTEE**

Room 30 West House Building, State Capitol Complex

January 28, 2016

**Members Present:** Sen. Allen M. Christensen, Co-Chair  
Rep. Paul Ray, Co-Chair  
Rep. Edward H. Redd, House Vice Chair  
Sen. Deidre M. Henderson  
Sen. Luz Escamilla  
Sen. Lincoln Fillmore  
Sen. Brian E. Shiozawa  
Sen. Todd Weiler  
Rep. Rebecca Chavez-Houck  
Rep. Bradley M. Daw  
Rep. Sandra Hollins  
Rep. Robert Spendlove  
Rep. Earl D. Tanner  
Rep. Raymond Ward

**Members Absent:** Sen. Alvin B. Jackson  
Sen. Mark B. Madsen  
Rep. Melvin R. Brown

**Staff Present:** Mr. Russell T. Frandsen, Fiscal Analyst  
Mr. Stephen C. Jardine, Fiscal Analyst  
Ms. Tonya Hadley, Secretary

**Note:** A copy of related materials and an audio recording of the meeting can be found at [www.le.utah.gov](http://www.le.utah.gov).

**1. Call to Order**

Co-Chair Christensen called the meeting to order at 8:18 a.m.

Sen. Weiler informed the committee that he held an additional meeting the previous day to address public concerns for moving the Utah State Office of Rehabilitation (USOR). During that meeting, concerns were listed on the board and Mr. Jon Pierpont, Executive Director, Department of Workforce Services, and Mr. Mark Brasher, Deputy Director, Department of Human Services, spoke to each concern. Tonight, Sen. Weiler will sponsor further discussion in Capital Room 250 at 5:45 p.m. Hands were raised to ensure that participation of an entire quorum would not be present to be in compliance with statute.

**3. Public Input**

Ms. Ginger Phillips, Advocate, spoke in support of the Medicaid match and for State Hospital funding.

Ms. Jamie Justice, Executive Director, NAMI, stressed the need for early intervention. She hopes for Medicaid expansion, community-based resources and the Medicaid match.

Mr. John Wilkes, advocate, shared his story. He pointed out jails and state hospital are full and backed mental health funding.

Co-chair Christensen and Rep. Redd thanked the citizens who took time to speak to the committee.

#### **4. DHS Substance Abuse and Mental Health Base Budget**

Mr. Stephen Jardine, Fiscal Analyst, identified funding sources and \$146 million spent by the agencies. Agencies self-reported how they spent the money to him.

Rep. Redd asked if the counties who collect fines get to keep the money. Mr. Doug Thomas, Director, Division of Substance Abuse and Mental Health, responded that it is allocated by population, according to statute.

**MOTION:** Rep. Ray moved to approve motion for the DHS Substance Abuse and Mental Health line #1C and #1AB from the sheet entitled [“Social Services Subcommittee- Motions for Subcommittee consideration”](#). The motion passed unanimously with Sen. Shiozawa absent.

Rep. Redd probed about activity in the State Hospital Unit Fund and the State Hospital Patient Trust Fund. Mr. Dallas Earnshaw answered. Rep. Tanner queried about family trusts. Mr. Earnshaw and Mr. Thomas commented.

**MOTION:** Rep. Ray moved to approve the following motions for DHS line item #4c, #1t, #1m, #7f, from the sheet entitled [“Social Services Subcommittee- Motions for Subcommittee consideration”](#). The motion passed unanimously with Sen. Shiozawa absent.

#### **5. Local Authority Mental Health Medicaid Match Report**

Mr. Jardine highlighted funding options. Mr. Thomas clarified statutes for drug court allocations.

Rep. Redd asked about the success rates for DORA to reduce recidivism. Mr. Thomas answered. Mr. Thomas expressed concern of possible funding reductions. He addressed each item line by line.

Mr. Dallas Earnshaw, Superintendent, Utah State Hospital, discussed available beds at the State hospital and the strain on the mental health system, if beds were closed. Sen. Shoizawa commented on the expense, to the state, of leaving people in the Emergency Room, waiting for a bed. He also asked what the backlog is on this group. Mr. Earnshaw spelled it out. Rep. Redd agreed and added a description of the way hospitals have to write off unpaid charges or roll it

into another fee. Mr. Earnshaw reported Medicaid funded pediatric beds, so they would have to close 72 beds, if the cut goes through.

Rep. Ward wanted a description of what services a person can get under three different funding streams: 1) DORA, 2) Medicaid, and 3) Justice Reinvestment Initiative (JRI). It was supplied.

Co-chair Christensen asserted the chances are not great that they would accept these reductions.

## **6. Report on Local Authority Mental Health Match**

Mr. Kyle Snow, Utah Behavioral Health Committee (UBHC) Chair, Utah Association of Counties, and Mr. Adam Trupp, Chief Executive Officer, Utah Association of Counties, gave a report on Mental Health costs to the counties.

Rep. Redd wanted clarification on how the match funds are drawn down. Mr. Snow quantified. Rep. Redd followed up about eligibility growth. Mr. Snow explained. Rep. Redd understood that out-patient mental health was considered an “optional” service. Mr. Snow and Mr. Jardine cleared up the confusion. Sen. Shiozawa acknowledged there is a policy decision needed to decide what the State is willing or obligated to give to help pay for these services.

Co-chair Christensen expressed the counties’ concern of funds being gobbled up to treat these folks. Rep. Chavez-Houck inquired if Utah’s Medicaid population growth is spiraling out of control and how Utah's Medicaid population compared to other states. This was left unanswered.

Rep. Tanner asked if the JRI population can qualify for Medicaid. Mr. Snow answered. Rep. Tanner supplied that it would make sense to expand Medicaid for JRI. Mr. Snow affirmed. He probed further about the funding needed to implement JRI. This was spelled out later in the meeting.

Co-chair Christensen reminded the committee that mental health was historically farmed out to the counties.

Sen. Shiozawa verbalized an urgent need for one-time funding. He encouraged the committee to do an interim study and create a long-term solution. Co-chair Christensen pronounced, “I hope we can come up with the one-time.”

Rep. Redd quizzed if the additional \$5 million request goes to fund the mental health needs of JRI. He was told the intent of this is to help with the Medicaid match concern. Rep. Redd voiced that funding here could free up some counties’ money to deal with the uninsured. Mr. Trupp confirmed. Rep. Redd averred that inmates lose Medicaid when they go to jail and experience a lapse in treatment after they are released.

Rep. Ward added that the waiting list is one-to-two months and this shortens services available.

## **7. Coordination between local authority mental health and substance abuse centers and the divisions of Child and Family Services (DCFS) and Juvenile Justice Services(JJS)**

Mr. Thomas, Ms. Susan Burke, Director, JJS, Mr. Brent Platt, Director, DCFS and Ms. Catherine Johnson, Child and Family Director, Wasatch Mental Health, presented as a team highlighting their coordination of care. They reported seeing improvement in clinical services because of better assessments to place people into treatment. They also referenced partnerships with DCFS and JJS on school-based mental health. Rep. Redd congratulated DCFS and queried if only Weber County is doing this. Ms. Johnson and Mr. Thomas replied.

## **8. Justice Reinvestment Initiative Follow-up**

Mr. Thomas, Mr. Brent Kelsey, Deputy Director, DSAMH, Mr. Snow, and Mr. Lincoln Shurtz, Director of Government Affairs, UBHC Chair, Utah Association of Counties, provided the three area plans they have created to implement JRI. They stated HB 348 treatment requirements and plans to finalize rules and standards. The cost and population chart showed the unmet need would be \$16.4 million. This committee is not tasked with coming up with this money, according to Co-chair Christensen.

Co-chair Ray questioned the JRI relationship with DORA and Drug Court. Mr. Thomas specified that Rep. Hutchings needs to be asked about the policy decision and which committee is responsible.

Rep. Ward tried to unravel if there is a federal match. Roughly 20% is receiving a federal match. Rep. Tanner said he believed to reach the entire population they need another \$16 million. Mr. Kelsey avowed. Rep. Tanner asked about their plans to get this money. Mr. Kelsey said they are not asking for this need this year. Rep. Tanner declared that Medicaid expansion is the key DSAMH feels will solve this problem. Mr. Kelsey retorted that it is the Legislature's prerogative. Mr. Thomas maintained that they were asked to provide an estimate.

## **9. Follow-up regarding Drug Court Audit Recommendations**

Nothing substantial shared.

## **Adjourn**

**MOTION:** Rep. Daw moved to adjourn. The vote passed unanimously with Sen. Fillmore, Sen. Henderson, Sen. Shiozawa, and Rep. Hollins absent for the vote.

Co-Chair Christensen adjourned the meeting at 10:54 a.m.